

Message Text

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ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 COA-02 CG-00 DOTE-00 USIA-15 L-03

INT-08 EB-11 SWF-02 TRSE-00 AGR-20 CIAE-00 INR-11

NSAE-00 RSC-01 PA-04 PRS-01 SS-20 NSC-07 SP-03 H-03

AID-20 CEQ-02 EPA-04 IO-14 NSF-04 PM-07 SCI-06 FEA-02

ACDA-19 AEC-11 FMC-04 JUSE-00 OMB-01 DRC-01 /230 W

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R 121616Z SEP 74

FM AMEMBASSY NASSAU

TO SECSTATE WASHDC 5990

INFO SECDEF WASHDC

CCGDSEVEN MIAMI

USDOC WASHDC

LIMITED OFFICIAL USE NASSAU 1597

E. O. 11652: N/A

TAGS: PLOS EFIS BF

SUBJ: GCOB INTRODUCES LEGISLATION ON CONTINENTAL SHELF
FISHERY RESOURCES

REF: NASSAU 1541

COMMERCE FOR NOAA/NMFS

SUMMARY: GCOB INTRODUCED LEGISLATION ON "CONTINENTAL SHELF
FISHERY RESOURCES" DURING SEPT 11 PARLIAMENTARY SESSION.
DRAFTING OF LEGISLATION, WHICH FOLLOWS SOMEWHAT ANALOGOUS
US LEGISLATION PASSED EARLIER THIS YEAR, HAD BEEN SIGNALLED
TO EMBASSY ONE MONTHS AGO. EMBASSY UNDERSTANDS THAT, GIVEN
AREAS IN WHICH SPINEY LOBSTER USUALLY FOUND, AND IN WHICH
US-BASED FISHERMEN OPERATE, NEW LEGISLATION WILL HAVE LITTLE
PRACTICAL EFFECT ON GEOGRAPHICAL EXTENT OF BAHAMIAN FISHERIES
ENFORCEMENT ACTIVITIES.

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1. DRAFT LEGISLATION (COPY POUCHED ARA/CAR) LIKELY TO PASS UNOPPOSED WITHIN NEXT TWO WEEKS. LEGISLATION DEFINES "CONTINENTAL SHELF" AS THAT "APPERTAINING TO THE COMMONWEALTH OF THE BAHAMAS, (I.E.) THE SEABED AND SUBSOIL OF THE SUBMARINE AREAS ADJACENT TO THE COASTS, BUT OUTSIDE THE TERRITORIAL WATERS, OF THE SAID BAHAMAS, TO A DEPTH OF 200 METERS OR, BEYOND THAT LIMIT, TO WHERE THE DEPTH OF THE SUPERJACENT WATERS ADMITS OF THE EXPLOITATION OF THE NATURAL RESOURCES OF THE SAID AREAS." "CONTINENTAL SHELF FISHERY RESOURCE" DEFINED AS "LIVING ORGANISMS BELONGING TO SEDENTARY SPECIES, (I.E.) ORGANISMS WHICH, AT THE HARVESTABLE STAGE, EITHER ARE IMMOBILE OR UNDER THE SEABED OR ARE UNABLE TO MOVE EXCEPT IN CONSTANT PHYSICAL CONTACT WITH THE SEABED OR SUBSOIL OF THE CONTINENTAL SHELF." DRAFT THEN AUTHORIZES MINISTER OF AGRICULTURE TO DECLARE ANY SPECIES OF LIVING ORGANISM TO BE CONTINENTAL SHELF FISHERY RESOURCE FOR PURPOSES OF FISHERIES ACT.

2. DRAFT EXTENDS NORMAL FISHERY VIOLATION PENALTIES TO "ANY PERSON ON BOARD A FOREIGN FISHING BOAT (WHO) TAKES ANY CONTINENTAL SHELF FISHERY RESOURCE WITHIN THE AREA OF THE CONTINENTAL SHELF OR OF THE TERRITORIAL WATERS OF THE BAHAMAS", UNLESS TAKING OCCURS IN COURSE OF AUTHORIZED SCIENTIFIC RESEARCH, BY VESSEL OPERATED BY INTERNATIONAL ORGANIZATION OF WHICH BAHAMAS IS MEMBER, OR PURSUANT TO BILATERAL AGREEMENT FOR RECIPROCAL FISHING RIGHTS.

3. COMMENT: STATED PURPOSE OF LEGISLATION IS TO PROTECT "CRAWFISH, CONCHS AND OTHER SIMILAR SPECIES." SO FAR AS CRAWFISH CONCERNED, IT WOULD APPEAR FROM COAST GUARD/NMFS SURVEILLANCE REPORTS RECEIVED HERE, THAT US-BASED FISHERMEN CONCENTRATE THEIR ACTIVITIES INSIDE THE 12-MILE CFZ. FROM THIS WE CONCLUDE THAT DRAFT LEGISLATION WOULD HAVE LITTLE PRACTICAL EFFECT ON EXTENT OF GCOB ENFORCEMENT JURISDICTION.

4. ACTION REQUESTED: EMBASSY WOULD APPRECIATE ANY INFO NMFS MAY HAVE ON SPINEY LOBSTER HABITS WHICH WOULD INDICATE THAT THEY USUALLY ARE FOUND IN THE SHALLOWER WATERS INSIDE OF 12 MILES, AND THAT THERE ARE FEW IF ANY EXPLOITABLE AREAS OUTSIDE PRESENT BAHAMIAN CFZ.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, TERRITORIAL SEA LIMIT, SEABED, FISHERIES, LAW, AGREEMENT DRAFT, CONTINENTAL SHELF, FISHING REGULATIONS, MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 12 SEP 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: kelleyw0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974NASSAU01597
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740255-0596
From: NASSAU
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740952/aaaabrtc.tel
Line Count: 108
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DLOS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: NASSAU 1541
Review Action: RELEASED, APPROVED
Review Authority: kelleyw0
Review Comment: n/a
Review Content Flags:
Review Date: 09 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 SEP 2002 by elyme>; APPROVED <03 MAR 2003 by kelleyw0>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GCOB INTRODUCES LEGISLATION ON CONTINENTAL SHELF FISHERY RESOURCES
TAGS: PLOS, EFIS, BF
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005